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January 5, 2022

Assembly Committee Judiciary and Public Safety

Testimony from Rep. William Penterman in favor of passage of AB 776

Chairman Spiros and members on the Assembly Committee Judiciary and Public Safety:

Thank you for the opportunity to testify before you today in support of Assembly Bill 776, relating to damage or graffiti to certain historical property.

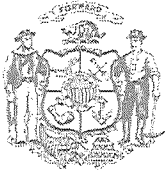
Under current law, it is a Class I felony to damage or graffiti certain vehicles, highways, common carrier property, grand juror property, and state-owned historical property. AB 776 makes it a Class I felony to damage or graffiti any structure, plaque, statue, painting, or other monument of commemorative or historical significance that is on public property or is maintained by the state or any county or municipality.

During the 2020 riots in Madison, several historical monuments around the State Capitol, including Lady Forward and Civil War hero Colonel Hans Heg were destroyed. Lady Forward is a symbol of our state and Hans Heg was a greatly respected abolitionist. Those statues are more than just stone – they represent the valor of Wisconsinites. They have since been restored, however they should never have been damaged. There shouldn't be license to destroy public property and to cause damage through civil unrest.

According to the Wisconsin Professional Police Association's 2021 statewide survey, 87% of the public agrees that there should be stronger penalties for people that destroy property during protests.

This proposal is a common sense extension of penalties already in place for damage to church properties and cemeteries.

Thank you for your time and I would be happy to answer any questions you may have.



**ANDRÉ JACQUE**

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*Testimony before the Assembly Committee on Criminal Justice and Public Safety  
State Senator André Jacque  
January 5, 2022*

Chairman Spiros and Committee Members,

Thank you for the opportunity to testify before you today in support of Assembly Bill 776, relating to the penalty for damage or graffiti to historical property.

AB 776 makes it a Class I felony to damage or graffiti any structure, plaque, statue, painting, or other monument of commemorative or historical significance that is on public property or is maintained by the state or any county or municipality. Under current law, it is a Class I felony to damage or graffiti certain vehicles, highways, common carrier property, grand juror property, and state-owned historical property. However, the specific type of state-owned historical property referenced in the current statutes that AB 776 will amend is a DNR registry of prominent features in the landscape of state-owned land which apparently has not listed any specific property, the effect of which appears to be that the current law potential penalties of a Class I felony under ss. 943.01(2) and 943.017(2)(e), have been and will continue to be unavailable unless this legislation passes.

Around the Capitol, as recorded in vivid detail, we witnessed the destruction of two monuments on the Wisconsin State Capitol grounds. These two statues served as important monuments to significant events in Wisconsin History, and I have heard from countless outraged constituents.

The Han Christian Heg statue honors a hero who immigrated to our Country and became well known for “his decidedly anti-slavery political views and worked extensively, as his contemporaries wrote, towards the American ideals of democracy, equality and human freedom. Heg served in several capacities within his local government before he was elected warden of the state prison in Waupun, Wisconsin in 1859. In this capacity, Heg was commended for his commitment to prison reform and respect for the rights of the incarcerated.” When the Civil War started, he raised an entire regiment of Norwegian immigrants to fight for the Union. He was fatally wounded at the Battle of Chickamauga in September of 1863 and his statue was erected in 1925.

The Forward statue is a replica that was erected in 1996 during the celebration of the 76th anniversary of the women’s suffrage movement. In 1919, Wisconsin was the first state to ratify the 19th Amendment, giving women the right to vote. Wisconsin women were largely responsible for both the funding of the original statue and the funding for the replica that stood outside the Wisconsin Capitol.

These statues, along with other statues and monuments across the State, serve as important reminders to our history. They should be protected and honored as records of the past that provide important lessons for the present.

There shouldn’t be license to destroy public property and to cause damage through civil unrest.

According to the Wisconsin Professional Police Association’s 2021 statewide survey, 87% of the public agrees that there should be stronger penalties for people that destroy property during protests.

This proposal is also a common sense extension of penalties already in place for damage to church properties and cemeteries.

Thank you for your consideration of AB 776.